

**UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

**UNITED STATES,**  
vs.  
**WILLIAM CORDOVA.**

No. 11-3034  
(08-Cr.-167-01)

**UNITED STATES,**  
vs.  
**JOSÉ GUTIERREZ.**

No. 11-3043  
(08-Cr.-167-02)

**UNITED STATES,**  
vs.  
**MELVIN SORTO.**

No. 11-3044  
(08-Cr.-167-04)

**UNOPPOSED JOINT MOTION FOR ENLARGEMENT  
OF TIME TO FILE PROPOSED FORMAT FOR BRIEFING**

Appellants William Cordova, José Gutierrez, and Melvin Sorto through undersigned counsel, respectfully request, pursuant to D.C. Cir. R. 28(f), that the Court enlarge the time until November 25, 2013 to file a proposal for briefing these consolidated cases. Counsel have determined that Appellee, the United States, does not oppose this motion.

In support of this motion counsel state:

1. In an order issued June 28, 2013 the Court directed counsel to file a proposed briefing format within 30 days.
2. This is a complex case involving conspiracy to commit violent crimes in aid of racketeering, multiple violent crimes in aid of racketeering, possession of a firearm in relation to a violent crime, illegal possession of a firearm by an alien, first-degree premeditated murder, assault with intent to kill while armed, and District of Columbia firearms offenses, in which the trial lasted over three months.
3. Before proposing a format for briefing counsel will have to review the transcripts to determine whether it is possible for all Appellants to file a joint brief, whether there are subgroups for which it would be logical to file joint briefs, or whether Appellants have unique issues requiring individual briefs.
4. Counsel need a significant amount of additional time to review the transcripts and to confer about the issues on appeal before they can formulate a rational proposal for briefing that accommodates the Court's concern regarding duplication of effort and redundancy, and protects Appellants' constitutional guarantees of due process and effective representation.
5. In addition, the Court has ordered counsel for Appellant Sorto to file a brief by September 16 in another racketeering case that took 10 months to try, and has scheduled oral argument September 23 in a third case. Counsel for Appellant Cordova has briefs pending in several appeals and has several oral argument scheduled between now and October.
6. Counsel have discussed this request with Asst. U.S. Attorney Brendan Tracz, who does not oppose this motion.

WHEREFORE, Appellants William Cordova, José Gutierrez, and Melvin

Sorto respectfully request that the Court grant them until November 25, 2013 to propose a format for briefing.

Respectfully submitted,

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Attorney for Melvin Sorto  
(*Appointed by the Court*)

### **CERTIFICATE OF SERVICE**

I, Robert S. Becker, counsel for Melvin Sorto, certify on July 29, 2013 that all counsel in the above-captioned appeal are registered users of the Court's CM/ECF system and will receive service electronically.

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Robert S. Becker